

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	No. 08 CV 1999
)	97 CR 63-1
)	
)	Judge George W. Lindberg
TERRY YOUNG)	

GOVERNMENT’S MOTION FOR EXTENSION OF TIME

The UNITED STATES OF AMERICA, by PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, moves this Court for an extension of time to September 15, 2008, to submit the government’s response to defendant Terry Young’s motion to vacate, set aside, or correct his sentence. In support thereof, the government states as follows:

1. On May 22, 2008, undersigned counsel was assigned to respond to defendant Terry Young’s 39-page motion to vacate, set aside, or correct his life sentence for conspiracy to possess with intent to distribute cocaine, cocaine base, and heroin; possession of cocaine with intent to distribute; and money laundering.
2. The government’s response was due on or before August 14, 2008.
3. On August 11, 2008, the government filed a motion for extension of time to September 15, 2008, to file its response. The government mistakenly filed the motion under the criminal “CR” number instead of the civil “CV” number. Undersigned counsel, who has been on leave from August 11 until today, was unaware of the error. The district court clerk would not accept the motion and requires that the motion be re-filed under the “CV” number.
4. Undersigned counsel has been engaged in substantial other litigation, including

a securities fraud case in which eight defendants pleaded guilty between June 12 and July 22, 2008 and one proceeded to jury trial on July 28, 2008, before Judge Blanche Manning. That trial was completed on August 7, 2008.

5. As noted above, undersigned counsel has been on leave from August 11 through August 15, 2008.

For the reasons stated above, the government respectfully requests an extension of time to September 15, 2008, to file the government's response to defendant Terry Young's motion to vacate, set aside, or correct his sentence.

Respectfully submitted,
PATRICK J. FITZGERALD
United States Attorney

By: s/ John F. Podliska
JOHN F. PODLISKA
Assistant United States Attorney
219 South Dearborn Street - 5th Fl.
Chicago, Illinois 60604
(312) 353-2815

CERTIFICATE OF SERVICE

The undersigned Assistant United States Attorney hereby certifies that in accordance with Fed. R. Crim. P. 49, Fed R. Civ. P. 5, LR5.5, and the General Order of Electronic Case Filing (ECF), the following documents:

GOVERNMENT’S MOTION FOR EXTENSION OF TIME

was served pursuant to the district court’s ECF system to ECF filers and by mail to the following non-ECF filers on August 18, 2008:

Terry Young
Reg. No. 02368-424
FCI
P.O. Box 1000
Oxford, WI 53952

By: /s/ John F. Podliska
JOHN F. PODLISKA
Assistant United States Attorney
219 South Dearborn Street
Chicago, Illinois 60604
(312) 353-2815